

KEVIN V. RYAN (CABN 118321)
 United States Attorney

MARK L. KROTOSKI (CABN 138549)
 Chief, Criminal Division

KIRSTIN M. AULT (CABN 206052)
 Assistant United States Attorney

450 Golden Gate Ave., Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7151
 Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 06-00640 VRW |
| |) | |
| Plaintiff, |) | PROPOSED ORDER EXCLUDING |
| |) | TIME FROM SEPTEMBER 27, 2006 TO |
| v. |) | OCTOBER 17, 2006 FROM THE SPEEDY |
| |) | TRIAL ACT CALCULATION (18 U.S.C. § |
| YIU-PONG LIU, |) | 3161(h)(8)(A)) |
| |) | |
| Defendant. |) | |

On September 27, 2006, the parties appeared before the Honorable Magistrate Judge James Larson. At that appearance, defense counsel stated that he needs time to review the discovery in this case to effectively prepare for trial. The Court set the matter for an initial appearance before the Honorable Vaughn R. Walker on October 17, 2006, and found that time should be exclude time from the Speedy Trial Act calculation based on the need for effective preparation of defense counsel.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from September 27, 2006 to October 17, 2006.

The parties agree, and the Court finds and holds, as follows:

1. The defendant is in custody.

2. The defendant agrees to an exclusion of time under the Speedy Trial Act based upon the need for effective preparation of defense counsel.

3. Counsel for the defense believes that the exclusion of time is in his client's best interest.

4. Given these circumstances, the Court finds that the ends of justice served by excluding the period from September 27, 2006, to October 17, 2006, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5. Accordingly, and with the consent of the defendant, the Court: (1) sets an initial appearance before the Honorable Vaughn R. Walker, on October 17, 2006 at 10:30 a.m., and (2) orders that the period from September 27, 2006, to October 17, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

STIPULATED:

DATED: September 28, 2006

/S/
RANDY MONTESANO
Attorney for Defendant

DATED: October 4, 2006

/S/
KIRSTIN M. AULT
Assistant United States Attorney

IT IS SO ORDERED.

DATED: October 5, 2006

